IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR No. 1479 of 2007
Date of Decision: 5.7.2007

Hans Raj ...Petitioner

Versus

Sanjeev Nehra ....Respondent

Coram: Hon'ble Mr. Justice Hemant Gupta.

Present: Shri Ravinder Malik, Advocate, for the petitioner.

Shri Rakesh Nehra, Advocate, for the respondent.

HEMANT GUPTA, J.

The challenge in the present revision petition is to the order passed by the learned trial Court on 13.2.2007, whereby an application for amendment of the written statement filed by the petitioner was dismissed.

Learned counsel for the plaintiff-respondent has pointed out that the application for amendment of the written statement is not in accordance with the Rules framed by this Court and therefore, the application could not have been entertained.

Learned counsel for the petitioner could not dispute the argument that the application is in fact, not in terms of the provisions of Order 6 Rule 17 CPC as amended by this Court. Therefore, he seeks permission of this Court to file a fresh application for amendment of the written statement.

In view of the said fact, the present revision

petition is disposed of with liberty to the petitioner to file a fresh application for amendment of the written statement in terms of Order 6 Rule 17 CPC as amended by this Court. As and when such application is filed, the same shall be decided by the learned trial Court, expeditiously in accordance with law, without adverting to the fact that the earlier application was dismissed.

05-07-2007 (HEMANT GUPTA)
ds JUDGE